

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

LOUIS MCLAUGHLIN,

**Individually and on Behalf of All Others
Similarly Situated,**

Plaintiff,

v.

**IDT ENERGY, INC., GENIE RETAIL
ENERGY, GENIE ENERGY
INTERNATIONAL CORPORATION,
AND GENIE ENERGY LTD.,**

Defendants.

Case No. 14 Civ. 4107 (ENV) (RML)

**NOTICE OF PLAINTIFFS'
UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

PLEASE TAKE NOTICE THAT upon the Parties' Settlement Agreement (the "Settlement Agreement"), attached hereto as Exhibit 1; the accompanying memorandum of law; and all other papers and proceedings herein, Plaintiffs Louis McLaughlin, Anthony Ferrare, and Deborah Aks ("Plaintiffs") hereby move this Court under Federal Rule of Civil Procedure 23 and Rule 7.1 of the Local Civil Rules for the United States District Courts for the Southern and Eastern Districts of New York for an order:

- (1) Granting preliminary approval of the terms of settlement set forth in the Parties' Settlement Agreement;
- (2) Preliminarily certifying the proposed Settlement Class;
- (3) Preliminarily designating Plaintiffs and their counsel, Steven L. Wittels and J. Burkett McInturff of Wittels Law, P.C.; Jonathan Shub, of Kohn, Swift & Graf, P.C.; Troy M. Frederick, of Marcus & Mack, P.C.; Matthew R. Mendelsohn, of Mazie, Slater, Katz and Freeman, LLC; Matthew D. Schelkopf, of McCune Wright Arevalo, LLP; and D. Greg Blankinship, of Finkelstein, Blankinship, Frei-Pearson & Garber, LLP as Representatives of the Settlement Class and Class Counsel for the Settlement Class, respectively;

- (4) Directing that notice be sent to Class Members pursuant to the terms of Settlement Agreement;
- (5) Finding that such notice constitutes the best notice practicable under the circumstances;
- (6) Scheduling dates by which the Parties and Class Members are to comply with their requirements and obligations under the Settlement Agreement; and
- (7) Setting a hearing date for the final approval of the proposed settlement and an award of attorneys' fees and costs.

Attached hereto as Exhibit 2 is the Parties' agreed-upon proposed Order Preliminarily Approving Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement. Pursuant to the terms of the Settlement Agreement, this motion is unopposed by Defendants.

Dated: August 25, 2017
Armonk, New York

Respectfully submitted,

WITTELS LAW, P.C.

By: /s/ Steven L. Wittels

Steven L. Wittels (SW-8110)
J. Burkett McInturff (JM-4564)
Tiasha Palikovic (TP-5697)

18 HALF MILE ROAD
ARMONK, NEW YORK 10504
Telephone: (914) 319-9945
Facsimile: (914) 273-2563
slw@wittelslaw.com
jbm@wittelslaw.com
tpalikovic@wittelslaw.com

Counsel for Plaintiffs and the Class